

## REMARKS

Claims 1-8 are currently pending in the application.

Claims 1-4 were rejected under 35 USC 103(a) as being unpatentable over Otto (4,512,065). Specifically, the Examiner stated that "Otto discloses a process of treating textile fibers by a sanding technique wherein the technique may be applied to coated fabric", referencing column 6, line 40, and that "said treated fabric may be ranged dyed after the sanding treatment", referencing example 9, column 16. The Examiner further references Example 13 in column 17 stating that it teaches the sanding process removing a portion of the coating from the fabric. The patent to Otto, which is commonly assigned with the instant application, is directed to an apparatus for face finishing textiles. As noted by the Examiner, Example 13 describes a "napped substrate fabric containing on its surface a coagulation type coating." The Example 13 describes that "the original control fabric had a soft tacky surface hand while the fabric which was treated according to the process of the [Otto] invention had an even, softer but a totally non-tacky surface hand." It was further described that "the sample which has been treated according to the process of the invention...reveals that while desirable small islands of polymer coating are still present, gross accumulations have been substantially removed or broken up." In contrast, the instant application is directed to a method of producing a range-dyed treated fabric by providing a fabric in its greige state, immobilizing at least a portion of the surface fibers of the greige fabric in a temporary coating matrix, treating the fabric by a process from the group consisting of sanding, abrading, sueding and any combination thereof, **subsequently** removing said temporary coating matrix from the treated fabric and range dyeing at least a portion of the fabric to achieve a fabric having specific levels of nondirectionality. (emphasis added) Otto fails to disclose or suggest a temporary coating matrix. Furthermore, as described by the Examiner, the Otto process utilizes the sanding, abrading or sueding treatment to remove portions of the coating matrix, rather than subsequently removing the coating matrix as in the instance invention. Therefore, Otto fails to disclose or suggest the claimed invention.

Claims 5-8 were rejected under 35 USC 103(a) as being unpatentable over Otto in view of Trotman, "Dyeing and Chemical Technology of Textile Fibers". As noted above, Otto fails to disclose or suggest the process as claimed. Trotman was merely relied upon by the Examiner for the teaching of a thermosol dye process. Therefore Trotman likewise fails to disclose or suggest the invention as claimed. Therefore, it is respectfully requested that the rejection be withdrawn.

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Inventor(s): Dischler et al.

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Claims 1-8 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 1-19 of U.S. Patent Number 6,718,775.

Claims 1-4 were also rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 1-19 of U.S. Patent Number 6,211,381 in view of Otto. Applicant has submitted herewith Terminal Disclaimers over both the 6,718,775 and 6,221,381 patents. Therefore, it is believed that these rejections have been obviated.

## CONCLUSION

Applicants respectfully submit that the claims are in condition for allowance, and a notice to that effect is earnestly solicited. Should the Examiner find that any issues remain outstanding following consideration of this Response, she is invited to telephone the undersigned in the interest of resolving such matters in an expedient manner.

**Fee Authorization:** In the event that there are additional fees associated with the submission of these papers, Applicant hereby authorizes the Commissioner to withdraw those fees from our Deposit Account No. 04-0500.

**Extension of Time:** In the event that additional time is required to have the papers submitted herewith for the above referenced application to be considered timely, Applicant hereby petitions for any additional time required to make these papers timely and authorization is hereby granted to withdraw any additional fees necessary for this additional time from our Deposit Account No. 04-0500.

Respectfully submitted,



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